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10 GOLDMAN, SACHS & CO., MERRILL LYNCH  
11 & CO., MORGAN STANLEY DEAN WITTER,  
12 AND J.P. MORGAN

13 UNITED STATES DISTRICT COURT  
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

15 IN re EXODUS COMMUNICATIONS, INC.  
16 SECURITIES LITIGATION,

CASE NO. C-01-2661-MMC

17 This Document Relates to:

18 ALL ACTIONS.

19 **STIPULATION AND PROPOSED ORDER**  
20 **TO EXTEND TIME FOR UNDERWRITER**  
21 **DEFENDANTS TO ANSWER THE**  
22 **CORRECTED THIRD AMENDED**  
23 **COMPLAINT**

24 WHEREAS the Corrected Third Amended Complaint ("Complaint") in the above-captioned  
25 action was filed on April 29, 2005 and electronically served on that date; and

26 WHEREAS the Court issued an Order on August 5, 2005 dismissing some, but not all, of the  
27 claims asserted against the Underwriter Defendants in the Complaint and instructing the Underwriter  
28 Defendants to answer the Complaint by September 6, 2005; and

WHEREAS in consideration of the length of the Complaint (365 paragraphs), the Underwriter  
Defendants have requested as a courtesy additional time to prepare their answer and the parties have  
stipulated to extend the time for the Underwriter Defendants to answer the Complaint in this action  
through and including September 15, 2005;

NOW THEREFORE, the parties hereby STIPULATE AND AGREE, and request the Court to  
order, as follows:

Defendants Goldman, Sachs & Co., Merrill Lynch & Co., Morgan Stanley Dean Witter, and J.P. Morgan shall have up to and including September 15, 2005 within which to file an answer to the Complaint.

DATED: September 6, 2005

GIBSON, DUNN & CRUTCHER LLP

By: Paul J. Collins *by PJC*  
Paul J. Collins

Attorneys for Defendants GOLDMAN, SACHS & CO.,  
MERRILL LYNCH & CO., MORGAN STANLEY  
DEAN WITTER, AND J.P. MORGAN

DATED: September 6, 2005

LERACH COUGHLIN STOIA GELLER RUDMAN &  
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By: John K. Grant  
John K. Grant

Attorneys for Plaintiffs

**ORDER**

The parties having stipulated to extend the time within which defendants Goldman, Sachs & Co., Merrill Lynch & Co., Morgan Stanley Dean Witter, and J.P. Morgan must answer the Corrected Third Amended Complaint, and good cause appearing therefore, the Court ORDERS AS FOLLOWS:

Absent further Order of the Court, defendants Goldman, Sachs & Co., Merrill Lynch & Co., Morgan Stanley Dean Witter, and J.P. Morgan shall answer the Corrected Third Amended Complaint by September 15, 2005.

**IT IS SO ORDERED.**

DATED: September 6, 2005

Mafine M. Cheney  
UNITED STATES DISTRICT JUDGE

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